

ORDINANCE OF THE CITY OF BLOOMINGTON
COUNTY OF MONROE, STATE OF INDIANA

ORDINANCE NO. 71-40

AN ORDINANCE TO AMEND "THE CITY ZONING
ORDINANCE" TO REGULATE THE USE OF
ADVERTISING SIGNS AND BILLBOARDS

*Second reading
Aug. 5, 1971*

*Adopted
Aug. 5, 1971*

WHEREAS, The Common Council of the City of Bloomington, Indiana, has directed The City Plan Commission to prepare an amendment to "The City Zoning Ordinance" and submit it to public hearing, and

WHEREAS, said amendment has been prepared and said public hearing has been held.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, UNDER AUTHORITY OF CHAPTER 174 OF THE 1947 ACTS, OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA:

SECTION 1. The word "sign" as used in this ordinance means any advertisement, announcement, or communication produced by the construction, erection, affixing or placing of a structure on any land or upon any other structure, or produced by painting on or posting or placing any printed, lettered, pictured, figured or colored material upon any building, structure or surface. Signs placed or erected by any governmental subdivision for the purpose of conveying information shall not be included within the meaning of such term.

SECTION 2. All signs erected or installed within the areas subject to the Bloomington Zoning Ordinance shall be erected or installed only in such areas permitted by this Ordinance, and in accordance with the conditions as are hereinafter set forth.

SECTION 3. No sign of any kind or nature shall be erected or installed in an R-1 or R-2 zone, excepting the following:

- a. Signs pertaining to the prospective sale or rental of the property and measuring no more than six square feet in area.
- b. Signs pertaining to any business or commercial use allowed by the City Zoning Ordinance in such zone, erected or installed upon the site of such business or commercial use and not exceeding six square feet in area.
- c. Signs designating the name of a particular subdivision placed at an entrance into such subdivision and not exceeding thirty-two square feet in area.

SECTION 4. No sign shall be erected in an R-3 or R-4 zone, except the following:

- a. Signs permitted in R-1 or R-2 zones.
- b. Signs pertaining to an apartment or mobile home park setting out the name of such apartment or mobile home park, not exceeding thirty-two square feet in area.

SECTION 5. No sign located in an R-1, R-2, R-3, or R-4 zone shall be designed, installed, or constructed so as to provide breaker flashing illumination.

SECTION 6. No signs shall be erected or installed in any B-1 zone, except on premise signs. No signs may be erected or installed in any B-2, or B-3 zone, except the following:

- a. Signs permitted in R-1, R-2, R-3, and R-4 zones.
- b. Signs pertaining to business or commercial enterprises subject to the following limitations:
 - i. The highest point of any such sign shall not be more than thirty feet from the ground.

- ii. No such sign shall exceed three hundred square feet in area, such area to be determined as a product of the length of a line extending from the highest to the lowest point of such sign and the length of a line extending from a point on each side of such sign at its greatest width.
- iii. If such sign shall be located within fifty feet of an R-1, R-2, R-3, or R-4 zone, such sign shall be subject to the following limitations:
 - 1. The highest point of any such sign shall not be more than twelve feet from the ground.
 - 2. No such sign shall exceed fifty feet in area, such area being determined as the product of the length of a line extending from the highest to the lowest point of such sign and the length of a line extending from a point on each side of such sign at its greatest width.

SECTION 7. No sign shall be erected and installed in an M-1 or M-2 zone, except the following:

- a. Signs permitted in R-1, R-2, R-3, R-4, B-1, B-2 and B-3 zones.
- b. The highest point of any such sign shall not be more than thirty feet from the ground.
- c. No such sign shall exceed three hundred feet in area, such area to be determined as the product of the length of a line extending from the highest to the lowest point of such sign and the length of a line extending from a point on each side of such sign at its greatest width.
- d. In that part of any M-1, or M-2 zone within fifty feet of any R-1, R-2, R-3, R-4, B-1, B-2, or B-3 zone, no sign shall be erected, except those in compliance with Section 6 of this Ordinance.

SECTION 8. No sign shall be erected or installed within five hundred feet of that part of any road, street, or highway which shall have been designated by the Common Council as a scenic road, except for signs for on-premise use in a designated B zone or M zone. All said signs shall meet the same requirements as in Section 6 of this Ordinance.

The designation of such scenic roads shall be made by the Common Council upon the basis of the topography, vegetation, and structures adjacent to such road.

The designation of the part of any road, street or highway as a scenic road by the Common Council shall be considered as an amendment to the City Zoning Ordinance.

SECTION 9. Any exception or variance to the provisions of this Ordinance may be granted only by the Board of Zoning Appeals of the City as provided in the City Zoning Ordinance and the statutes of the State of Indiana. No exception shall be granted by such Board unless it finds that such exception is consistent with the intent and purpose of this Ordinance and the City Zoning Ordinance to promote public health, safety, morals, and the aesthetic appearance of the City of Bloomington and its adjacent areas.

SECTION 10. If a non-conforming sign located and installed prior to the effective date of this Ordinance be damaged or destroyed the owner may repair or replace such sign with a sign of like construction and appearance upon the site where the original sign stood or was installed.

SECTION 11. If an owner shall be required to remove a non-conforming sign erected or installed prior to the effective date of this Ordinance because of acquisition of the land upon which such sign is located by any authority having the power of eminent domain, such owner may relocate such sign or replace such sign with a sign of like construction and appearance within two hundred feet of where the original sign was installed or erected.

SECTION 12. That this Ordinance shall be in full force and effect from and after its passage, promulgation and publication in accordance with the law.

Passed and adopted by the Common Council of the City of Bloomington, Indiana, on the 5TH day of AUGUST, 1971.

Ralph L. Johnson
Ralph L. Johnson, President Common Council

Attest:

Marian H. Tardy
Marian H. Tardy, City Clerk

Presented by me to the Mayor of the City of Bloomington, Indiana, on the 6TH day of AUGUST, 1971, at the hour of 11:00 o'clock A.M.

Marian H. Tardy
Marian H. Tardy, City Clerk

This Ordinance approved and signed by me on the 11TH day of AUGUST, 1971, at the hour of 2100 o'clock P.M.

John H. Hooker, Jr.
John H. Hooker, Jr., Mayor
City of Bloomington, Indiana

Attest:

Marian H. Tardy
Marian H. Tardy, City Clerk

Introduced by:

Councilman

Referred to Council Committee:

Committee Chairman

Approved as to legality:

City Attorney